

Representative Kory M. Holdaway proposes the following substitute bill:

OPTIONAL EXTENDED-DAY KINDERGARTEN

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: Kory M. Holdaway

LONG TITLE

General Description:

This bill establishes a voluntary extended-day kindergarten program, with certain funding priorities.

Highlighted Provisions:

This bill:

- ▶ establishes a program, administered by the State Board of Education, through which school districts and charter schools may provide voluntary extended-day kindergarten;
- ▶ establishes program requirements and funding priorities;
- ▶ requires districts to report certain information on the use of program monies and on the program's outcomes to the State Board of Education;
- ▶ requires the Superintendent of Public Instruction to report to the Education Interim Committee on the program;
- ▶ provides for review of and a sunset date for the program; and
- ▶ makes certain appropriations nonlapsing.

Monies Appropriated in this Bill:

This bill appropriates:

- ▶ \$30,000,000 from the Uniform School Fund for fiscal year 2007-08 only, State



26 Board of Education.

27 **Other Special Clauses:**

28 This bill takes effect on July 1, 2007.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63-55-253**, as last amended by Chapters 86 and 91, Laws of Utah 2005

32 ENACTS:

33 **53A-1a-801**, Utah Code Annotated 1953

34 **53A-1a-802**, Utah Code Annotated 1953

35 **53A-1a-803**, Utah Code Annotated 1953



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **53A-1a-801** is enacted to read:

39 **Part 8. Voluntary Extended-day Kindergarten Program**

40 **53A-1a-801. Definitions.**

41 As used in this part:

42 (1) "Extended-day kindergarten" means a kindergarten program that provides:

43 (a) at least the same number of instructional hours per school year as first grade, as
44 established under State Board of Education rule; or

45 (b) additional instruction hours that are outside the regular school year, including
46 summer programs.

47 (2) "Part-day kindergarten" means a kindergarten program that provides fewer
48 instructional hours than first grade, as established under State Board of Education rule.

49 Section 2. Section **53A-1a-802** is enacted to read:

50 **53A-1a-802. Voluntary extended-day kindergarten program.**

51 (1) If funds are appropriated for this purpose, the State Board of Education shall
52 allocate available funds, consistent with Section 53A-1a-803, to charter schools and school
53 districts that apply to offer extended-day kindergarten.

54 (2) A school district shall coordinate program application, funding, administration, and
55 reporting for its schools that participate in the program.

56 (3) A charter school or school district:

57 (a) may not require a student to participate in extended-day kindergarten;
58 (b) shall continue to offer part-day kindergarten for students not participating in the
59 program; and
60 (c) shall continue to honor the provisions of any preexisting contractual agreement
61 related to other early intervention programs offered at the school site, through the remaining
62 term of the contract.
63 (4) A charter school or school district that receives funds under this part shall:
64 (a) annually conduct a kindergarten readiness assessment for incoming kindergarten
65 students prior to the beginning of the school year;
66 (b) ensure that:
67 (i) a majority of students enrolled in an extended-day kindergarten class under this part
68 are students who have the greatest need for additional instruction, as determined by the
69 kindergarten readiness assessment; and
70 (ii) an extended-day kindergarten class does not have more enrolled students than other
71 kindergarten classes in the school;
72 (c) utilize allocated funds to establish extended-day kindergarten in the schools with
73 greatest need as measured by the percentage of students eligible for free lunch; and
74 (d) annually report to the State Board of Education regarding:
75 (i) the number of students served;
76 (ii) the specific results achieved by the program, including any standardized testing or
77 district-directed assessment;
78 (iii) challenges encountered in administering the program and suggestions for
79 improvement; and
80 (iv) specific accountability for and tracking of the voluntary extended-day kindergarten
81 program dollars each year.
82 (5) Until 2012, the superintendent of public instruction shall annually report to the
83 Education Interim Committee on the program, including a summary of information reported
84 under Subsection (4)(d).
85 (6) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
86 and consistent with this part, the State Board of Education shall make rules establishing
87 application and reporting procedures necessary to administer this part.

88 Section 3. Section **53A-1a-803** is enacted to read:

89 **53A-1a-803. Voluntary extended-day kindergarten program funding.**

90 (1) As used in this section, "Title I school" means a school receiving federal monies
91 under Title I of the No Child Left Behind Act of 2001, Pub. L. No. 107-110, for a schoolwide
92 or targeted assistance program.

93 (2) If funds are appropriated for this purpose, the State Board of Education shall
94 allocate funds to charter schools and school districts.

95 (3) For charter schools, the State Board of Education shall:

96 (a) determine the total allocation for charter schools by:

97 (i) dividing the number of charter school students eligible to receive free lunch by the
98 total number of students in the public education system eligible to receive free lunch in the
99 prior school year; and

100 (ii) multiplying the resulting percentage by the total amount of available funds; and

101 (b) allocate the resulting amount of funds to individual charter schools with the greatest
102 need for extended-day kindergarten, as determined by the State Board of Education in
103 consultation with the State Charter School Board.

104 (4) For school districts, the State Board of Education shall:

105 (a) determine the total allocation for school districts by subtracting the charter school
106 amount calculated under Subsection (3)(a) from the total amount of available funds; and

107 (b) allocate the resulting amount to applicant school districts by:

108 (i) allocating to each school district the amount calculated by:

109 (A) multiplying the value of the weighted pupil unit under Subsection 53A-17a-103(1)
110 by 0.45; and

111 (B) multiplying the result by 20; and

112 (ii) allocating any remaining funds after the allocation under Subsection (4)(b)(i) by:

113 (A) determining the number of students eligible to receive free lunch in the prior
114 school year for each school district; and

115 (B) prorating the remaining funds based on the number of students eligible to receive
116 free lunch in each district.

117 (5) The State Board of Education may modify the allocation of funds described under
118 this section to provide sufficient funding for each Title I school to participate in the voluntary

119 extended-day kindergarten program.

120 Section 4. Section **63-55-253** is amended to read:

121 **63-55-253. Repeal dates, Titles 53, 53A, and 53B.**

122 The following provisions of Title 53A are repealed on the following dates:

123 (1) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is
124 repealed July 1, 2010.

125 (2) Title 53A, Chapter 1a, Part 8, Voluntary Extended-day Kindergarten Program, is
126 repealed July 1, 2011.

127 [~~2~~] (3) The State Instructional Materials Commission, created in Section 53A-14-101,
128 is repealed July 1, 2011.

129 [~~3~~] (4) Title 53A, Chapter 20a, Public Education Revenue Bond Act, is repealed July
130 1, 2007.

131 [~~4~~] (5) Section 53-3-232, Conditional licenses, is repealed July 1, 2015.

132 Section 5. **One-time appropriation -- Nonlapsing.**

133 (1) There is appropriated \$30,000,000 from the Uniform School Fund for fiscal year
134 2007-08 only, to the State Board of Education, for allocation to school districts and charter
135 schools pursuant to the voluntary extended-day kindergarten program under Section
136 53A-1a-803.

137 (2) It is the intent of the Legislature that the:

138 (a) appropriation under Subsection (1) is nonlapsing; and

139 (b) State Board of Education shall allocate the appropriation under Subsection (1) to
140 offer the voluntary extended-day kindergarten program in the 2007-08, 2008-09, 2009-10, and
141 2010-11 school years.

142 Section 6. **Effective date.**

143 This bill takes effect on July 1, 2007.

S.B. 49 3rd Sub. (Ivory) - Optional Extended-day Kindergarten

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will appropriate \$30,000,000 in one-time Uniform School Fund revenues in FY 2008 to the State Board of Education to implement the Optional Extended Day Kindergarten program outlined in the bill. The funds are non-lapsing and are to be allocated by the State Board of Education for four years, through FY 2011.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
Uniform School Fund, One-time	\$0	\$30,000,000	\$0	\$0	\$0	\$0
Total	\$0	\$30,000,000	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

School districts and charter schools may apply to the State Board of Education to receive funds appropriated in the bill. School districts and charter schools electing to apply for these funds may incur some costs in excess of the actual state allocation received under the program distribution formula.